

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

| | | |
|------------------------|---|-----------------------|
| SAMUEL OPPEDISANO, |) | Case 5:21-cv-1057-DEP |
| <i>Plaintiff,</i> |) | |
| |) | |
| v. |) | |
| |) | |
| KILOLO KIJAKAZI, |) | |
| Acting Commissioner of |) | |
| Social Security, |) | |
| <i>Defendant.</i> |) | |

Consent Order for Payment of Fees under the Equal Access to Justice Act

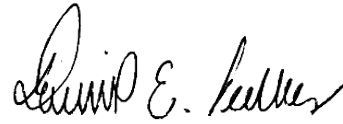
IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys for the parties in the above-titled action that Plaintiff be awarded attorney fees and expenses under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of five thousand, one hundred eighty-six dollars and fifty-two cents (\$5,186.52), and costs in the amount of four hundred and two dollars (\$402.00), the latter to be paid from the Department of the Treasury's Judgment Fund. This award will satisfy all Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. § 2412 in this case. Any fees paid belong to Plaintiff and not to his attorney and can be offset to satisfy pre-existing debt that Plaintiff owes the United States. *Astrue v. Ratliff*, 560 U.S. 586 (2010). After the Court enters this award, if Defendant can verify that Plaintiff owes no preexisting debt subject to offset, Defendant agrees to make the award payable to Plaintiff's attorney pursuant to the EAJA assignment signed by Plaintiff and counsel.

AND, the Court having reviewed the record in this matter;

IT IS on this 12th day of January, 2023;

ORDERED that Plaintiff be awarded fees under EAJA in the amount of \$5,186.52 and that the fees are payable to Plaintiff, but if Plaintiff does not owe a debt subject to offset, payable to Plaintiff's attorney,

AND FURTHER ORDERED that Plaintiff be awarded \$402.00 in costs, to be paid from the Department of the Treasury's Judgment Fund.



Hon. David E. Peebles
United States Magistrate Judge

The undersigned hereby consent to the form and entry of the within
order. Dated: January 11, 2023

Kilolo Kijakazi,

By Her Attorneys

Carla B. Freedman,
United States Attorney

/s/ Natasha Oeltjen

Special Assistant United States Attorney
Social Security Administration
Office of the General Counsel
Office of Program Litigation - 2
6401 Security Boulevard
Baltimore, MD 21235
(617) 565-1849
natasha.oeltjen@ssa.gov

Samuel Oppedisano,

By His Attorneys

Steven R. Dolson

/s/ Steven R. Dolson¹

126 N. Salina Street
Suite 3B
Syracuse, NY 13202
(315) 423-3328
sdolson@dolsonattorneys.com

¹ Signed by Natasha Oeltjen with Steven Dolson's permission.